



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

OHIO E.P.A.

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ENTERED DIRECTOR'S JOURNAL

CERTIFIED

January 9, 2013

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

Mr. Eric Goerss, Advanced Engineer
W.H. Sammis Plant
P.O. Box 176
Stratton, Ohio 43961

By Jmy Cassider Date: 1-9-13

**RE: Hollow Rock Landfill, Jefferson County
Ohio Administrative Code (OAC) Rule 3745-30-08(D) (9) (b) Approval**

Dear Mr. Goerss:

On September 28, 2012, the Ohio Environmental Protection Agency (Ohio EPA) Southeast District Office (SEDO) received an alternate source demonstration submitted by Eagon and Associates on behalf of FirstEnergy. The demonstration was submitted in accordance with OAC 3745-30-08(D)(9)(b) for the statistically significant increase identified during the July 16, 2012 sampling event and the resampling conducted on September 11, 2012, at the Hollow Rock Landfill. As noted in the September 28, 2012, alternate source demonstration monitoring well MW-22S had a statistically significant exceedance for chloride of 5.01 mg/l and monitoring well MW-21S had an exceedance for chloride of 3.03 mg/l during the July 2012 sampling event. On September 11, 2012 resampling confirmed monitoring well MW-22S had an exceedance for chloride of 5.01 mg/l and monitoring well MW-21S had an exceedance of 3.04 mg/l for chloride.

In accordance with Ohio Administrative Code (OAC) Rule 3745-30-08 (D) (9) (b), First Energy notified the Director of a significant change from background values within the required seventy five days of withdrawing a sample.

The demonstration was reviewed by the Division of Drinking and Ground Waters (DDAGW) and the Division of Material and Waste Management (DMWM). Upon review, the demonstration data submitted adequately supports the FirstEnergy's conclusion for the statistically significant increase at its Hollow Rock Landfill.

Based on the data within the September 28, 2012, alternate source demonstration, Ohio EPA accepts First Energy's conclusions that the statistical triggers for chloride at monitoring well's MW-22S and MW-21S were not landfill derived. That is, Ohio EPA does not believe the statistical triggering was a sign of waste-derived releases from the Hollow Rock Landfill. The data appears to reflect that monitoring well's MW-22S and MW-21S have not been impacted by waste derived contaminants from the current location of the landfill but rather is the result of natural variation. Therefore, Ohio EPA approves continuation of the detection monitoring program in accordance with OAC Rule 3745-27-08 (D) (9) (b) for the parameters and wells

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specified above.

Should future or existing ground water sampling results indicate statistically significant changes in ground water monitoring parameters, the owner or operator will be required to either enter into the ground water quality assessment monitoring program in accordance with OAC Rule 3745-27-10(E) or obtain approval to remain in the detection monitoring program pursuant to OAC Rule 3745-27-10(D)(7)(c).

This approval shall not be construed to release the owner or operator from the obligation to comply with the requirements of any other ground water quality assessment monitoring program being conducted at the Facility.

You are hereby notified that this action of the Director of Ohio EPA (Director) is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 made payable to "Treasurer, State of Ohio." The Commission, in its discretion, may reduce the fee if by affidavit it is demonstrated that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
77 South High St., 17th Floor
Columbus, Ohio 43215

If you have any questions, please feel free to contact Dale Warner in the Division of Solid and Infectious Waste Management at (740) 380-5435.

Sincerely,



Jim Sferra, Chief Southeast District Office
for Scott Nally, Director

JS/SN/DW/mr

cc: Jefferson County Health Department
Scott Hester, DMWM, CO
SEDO-DMWM
SEDO-DDAGW